

Amendments to the Claims

Claims 1-7 (Cancelled)

Claim 8 (**Currently Amended**) An optical disc comprising:

~~a at least first and second data recording layer layers; and~~

~~a second data recording layer, wherein with~~

~~at least the first data recording layer is being optically recordable, wherein:~~

~~the first data recording layer comprises a data areas-area and an address areas-area for identifying a location in the data areas-area,~~

~~the address areas contain a pit and land sequence, and~~

~~the address areas are disposed not in a straight line from an inner side to an outer side of the optical disc, but are offset a substantially constant disc center angle q (angle to the disc center) at each increment of a constant distance radially to the optical disc.~~

Claim 9 (**Currently Amended**) An optical data recording method for recording data to a ~~the first data recording layer of an optical disc having at least the first data recording layer and a second data recording layer layers~~ with at least the first data recording layer being optically recordable, ~~the optical data recording-said method comprising:~~

~~determining for specific area units whether recording is possible; and~~

~~recording dummy data to an area determined to be unrecordable after recording data originally designated to be recorded to the area determined to be unrecordable is recorded to a spare area.~~

Claim 10 (**Currently Amended**) An optical data recording method as claimed in claim 9,

~~wherein a specific area unit is determined to be unrecordable when reading address data assigned to the specific-said area unit does not meet specific reading conditions.~~

Claims 11-13 (Cancelled)

Claim 14 (New) An optical disc comprising:

- a first data recording layer; and
- a second data recording layer, wherein

at least the first data recording layer is optically recordable,

the first data recording area comprises data areas and address areas for identifying a location in the data areas,

the address areas contain a pit and land sequence, and

the address areas are disposed offset a substantially constant disc center angle q (angle to the disc center) at each increment of a constant distance radially to the optical disc such that address areas contained in a light spot on a recording layer not being reproduced are aligned so as not to be straight in a disc-radial direction.